

## **REMARKS**

Applicants appreciate the Office Action clarifying that the remarks filed by Applicants on October 9, 2008 were intended to reference U.S. Patent Application No. 11/743,451 rather than 11/743,541.

The Office Action of March 12, 2009 rejected the pending claims on the ground of non-statutory obviousness-type double patenting based on the claims of U.S. Patent No. 7,428,912. Applicants submit herewith a terminal disclaimer as to U.S. Patent No. 7,428,912, and statement under 3.73(b). Applicants submit therefore that the rejection of the pending claims on the ground of non-statutory obviousness-type double patenting should be withdrawn.

Applicants note that the Office Action makes various statements as to the scope of the pending claims. Applicants do not acquiesce as to the accuracy of such statements. Rather, Applicants submit that filing the terminal disclaimer submitted herewith obviates any need to respond to the characterization of the claims in the Office Action.

Applicants submit that the pending claims are in condition for allowance. If the Examiner has any questions or the Applicants can be of any assistance, the Examiner is invited and encouraged to contact the Applicants' undersigned attorney at (312) 775-8096.

Please charge any additional fees, and credit any overpayment, incurred in connection with this submission to Deposit Account No. 13-0017.

Respectfully submitted,

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